

Morgan Lewis

Melissa C. Rodriguez

Partner
+1.212.309.6394
melissa.rodriguez@morganlewis.com

February 3, 2021

VIA ECF

Hon. Paul G. Gardephe
United States District Judge
United States District Court for the Southern District of New York
40 Foley Square, Courtroom 705
New York, New York 10007

Re: Justin Franco v. American Airlines, Inc., Case No. 21-cv-05918-PGG
Joint Status Letter and Request to Adjourn Initial Conference

Your Honor:

We represent Defendant American Airlines, Inc. ("American") in the above-referenced action. Pursuant to the ECF Docket Entry dated January 19, 2022, we write jointly with counsel for Plaintiff Justin Franco ("Plaintiff") to advise the Court on the status of the mediation between the parties and respectfully request that the Court adjourn the initial conference currently scheduled for February 17, 2022 at 11 a.m. to a date and time after the parties have completed mediation that is convenient to the Court. Pursuant to the Order of Automatic Referral to Mediation (ECF NO. 15), the parties were originally scheduled to mediate this matter on January 19, 2022. Unfortunately, Plaintiff and Plaintiff's counsel both became ill and were unable to participate in the mediation on that day. The parties have agreed to reschedule the mediation for February 24, 2022. Accordingly, counsel for the parties respectfully request that the Court adjourn the February 17 initial conference to a date and time after the parties have completed mediation that is convenient to the Court.

This is the parties second request to adjourn the initial conference. The Court previously granted the parties request to adjourn the conference, which was originally scheduled for November 4, 2021, to permit the parties to complete mediation before attending the conference. (See ECF No. 17.) If the Court adjourns the February 17 conference, counsel for the parties propose to submit a new jointly proposed Case Management Plan to the Court one week prior to the adjourned-to conference date. If the Court denies the request for an adjournment, counsel for the parties respectfully request that counsel be permitted to appear for the February 17 conference by remote means, either via telephone or videoconference platform, as defense counsel will be out of New York state that day.

MEMO ENDORSED:

The conference currently scheduled for February 17, 2022 is adjourned to **April 7, 2022 at 11:30 a.m.**

SO ORDERED.



Paul G. Gardephe
United States District Judge
Dated: February 7, 2022

Morgan, Lewis & Bockius LLP

101 Park Avenue
New York, NY 10178-0060
United States

T +1.212.309.6000
F +1.212.309.6001

Hon. Paul G. Gardephe
February 3, 2022
Page 2

Respectfully submitted,

/s/ Melissa C. Rodriguez

Melissa C. Rodriguez

Attorney for Defendant

/s/ Gabrielle M. Vinci

Gabrielle M. Vinci

Attorney for Plaintiff

c: All Counsel of Record (via ECF)